

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PITTSFIELD GENERATING COMPANY, L.P.,)	
)	
)	
Plaintiff,)	
)	Civil Action No:
v.)	04-30128-MAP
)	
DEVON CANADA CORPORATION,)	
)	
Defendant.)	
)	
)	

**DEFENDANT DEVON CANADA CORPORATION'S
STATUS REPORT ON PARALLEL LITIGATION**

Pursuant to the Court's Order of December 28, 2004, Defendant Devon Canada Corporation ("Devon") hereby submits this report on the status of the parallel Alberta litigation. As requested by the Court's Order, Devon will continue to file subsequent status reports every six months.

Regarding the parallel Alberta litigation, which involves the above-named and additional parties, the parties currently are conducting in Alberta what would be the equivalent of discovery in the United States. More specifically, the following significant events have occurred within the last six months:

1. On June 28, 2005, counsel for Devon filed and served a Notice of Motion wherein Devon renewed its application of May 18, 2005 for Judgment against Altresco and Pittsfield Partners, Inc. ("PPI"). Devon submitted its brief in support on October 7, 2005. PLH filed a brief in response to Devon's Rule 162/163 application on October 14, 2005. The matter was scheduled for a hearing on October 26, 2005.

2. On July 21, 2005, counsel for Altresco and PPI confirmed to the Alberta Court that Altresco and PPI wished to continue their application pursuant to Rule 129 to dismiss Devon's claim against them. This also was scheduled for a hearing on October 26, 2005.

3. On October 20, 2005, PE-Pittsfield, LLC, PurEnergy I, LLC and Pittsfield Generating Company, LP (collectively "PGC") filed and served a Notice of Motion and Supplementary Brief in support of an application to stay Devon's claim pending the resolution of PGC's counterclaim against Devon. Devon filed its response on October 25, 2005.

4. At a hearing on October 26, 2005, Justice S.J. LoVecchio dismissed the applications of all the parties (i.e. Altresco and PPI's application to dismiss Devon's claims, Devon's application for Judgment against Altresco and PPI and PGC's application to stay Devon's claim pending resolution of PGC's counterclaim).

5. On December 2, 2005, PGC produced documents to Devon.

6. On December 16, 2005, Devon produced documents to PGC.

7. Counsel for the parties are working towards scheduling dates for an initial round of examinations for discovery.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant Devon Canada Corporation's Status Report on Parallel Litigation was served, via first class mail and electronically on the 27th day of December, 2005 on the following:

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/s/ Michelle C. Pardo